

REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended, is respectfully requested.

Claims 1-16 are pending. Claims 1-4, 6, 7, 9, and 10 are amended. Support for the amendments is deemed to be evident from the original claims and, with respect to the new language in claim 1 that the spaced deposits are “consisting essentially of” adhesive, see at least specification page 2, lines 22-27. New claims 13-16 are added. Support for claims 13-16 is found on at least page 3, lines 3-6 of the specification. Thus, no new subject matter is added.

At items 1-2, the Office Action rejects claims 1-12 under 35 U.S.C. § 102(b) as anticipated by either GB 2102977 (“GB ‘977”) or FR 2819802 (refer to US 2004/0081775 (“FR ‘802”). At items 3-5, the Office Action further rejects claims 1-12 as unpatentable under U.S.C. § 103 as obvious over U.S. Patent No. 5,009,218 to Bächli.

Applicant respectfully traverses the rejection of the pending claims over the cited references. Amended independent claim 1 recites a glazing panel including two sheets of glass spaced apart from each other and sealed together. The glazing panel has a plurality of spaced deposits consisting essentially of an adhesive which are arranged between and in contact with the two sheets of glass. As amended, claim 1 does not permit the deposits to include fibers or other spacer elements separate from the adhesive.

With respect to GB ‘977, the Office Action asserts that the reference discloses two glass sheets spaced part with adhesive dots and fibers. Indeed, the reference discloses that the fiber material defines the clearance between the two plates. See, e.g., page 1, lines 6-8; page 2, lines 47-49. As shown in Fig. 2, the spaced deposits include adhesive and also fibers. Thus, the spaced deposits of GB ‘977 do not consist essentially of adhesive (since the fibers

are an essential element for maintaining the spacing of the glass) as recited in claim 1 and GB ‘977 does not anticipate claim 1.

With respect to FR ‘802, the Office Action asserts that the reference discloses two glass sheets spaced apart by spacers and adhesively bonded together, citing for example Figures 6 and 7 and claims 1, 3, 10, and 11. Figures 6 and 7, for example, show an arrangement of spacers that are adhesively bonded to the surface of the glass. See, e.g., ¶¶ 68 and 71. The noted claims also disclose spacers fastened to the substrate. In all cases, the spacers and the adhesive are separate elements. Thus, the spaced deposits of FR ‘802 do not consist essentially of adhesive as recited in claim 1 because they require both separate spacers and adhesive together. For this reason, FR ‘802 also does not anticipate claim 1.

Finally, the Office Action asserts that Bächli discloses two glass sheets 1 spaced apart by adhesive spacer 2, that Bächli does not disclose the claimed distance between the spaced deposits, but that it would have been obvious to arrange the spacers of Bächli so as to satisfy the distance limitations recited in claim 1. Bächli discloses “paste-like or melttable bracing element[s]” that harden after being placed on the glass surface. Col. 10, lines 61-68. However, Bächli does not disclose an adhesive as recited in claim 1. Similarly, Bächli does not suggest that an adhesive alone is sufficient to space apart the glass sheets. Thus, the bracing elements of Bächli do not consist essentially of adhesive as recited in claim 1, spaced adhesive as claimed is not suggested by Bächli, and Bächli does not render claim 1 obvious.

Accordingly, GB ‘207, FR ‘802, and Bächli do not disclose or suggest the features of independent claim 1. It is submitted that independent claim 1, and dependent claims 2-12 which depend on claim 1 are in condition for allowance.

New claims 13-16 depend, directly or indirectly, on claim 1 and are distinguishable over the cited references for at least the same reasons as claim 1. Accordingly, claims 13-16 are allowable for at least the same reasons as claim 1.

Application No. 10/566,049
Reply to Office Action of December 26, 2008

For the reasons discussed above, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal allowance. Therefore, a Notice of Allowance for claims 1-16 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Andrew M. Ollis

Andrew M. Ollis
Attorney of Record
Registration No. 40,749

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)